

Board of Selectmen
September 10, 2012

PRESENT: Richard Griffin, Chairman
Richard Nichols, Vice Chairman
Michael Pierce, Selectmen
Philip Bean, Selectmen
Frederick Welch, Town Manager
Mark Gearreald, Town Attorney

ABSENT: Ben Moore, Selectmen

7:00 PM Public Meeting

SALUTE TO THE FLAG

I. Public Comment Period

Larry Stone, 14 Harris Ave, here to support having the gate open but made some suggestions on things that can be done to slow people down.

Vic Lessard, 100 Timber Swamp Road, provided some history on the marina and the gate being closed. He thinks the gate should be put in there but it needs to be done right and it should be kept closed and opened only for emergencies.

Michael Lynch, 55 Harbor Road, both a homeowner and business owner and he is in favor of removing the gate and shared his feelings on why this should be done.

Nancy Stiles, 1 Hayden Circle, congratulated the Board on signing a contract with DRED. She thanked the beautification committee at the beach for the great job they have done. She also commented on the work the Board is doing with DOT.

Mike Buckley, 6 Harris Ave, is in support of keeping the gate closed on Fellows Ave, as it historically was closed, but suddenly became open after Mr. Thibeault purchased the Marina.

Dean Savastano, 45 Kings Hwy, commented on the tremendous amount of work that has been done on the marina and the impact that closing the gate has had on his business. He is in favor of opening the gate.

Greg Andrusaitis, 20 Fellows Ave, shared the reasons why he is in favor of keeping the gate closed at this location and. He discussed some different options for a type of a gate.

Drew Nicolai, 3 Harbor Road, spoke in favor of leaving the gate open and how the traffic has increased on Harbor Road. He commented on this being a private road and they have the maintenance costs involved with the increased traffic from the Marina users.

Tom Bishop, 55 Harbor Road spoke about the increased amount of traffic since the gate has been closed. He expressed concerns with Harbor Road being a private street and repair costs to these residents, from the Marina users.

Kevin Bailey, 55 Harbor Road, is in favor of keeping the gate open and he has worked in the marina for the past 9 years.

Doug Barry, 19 Dustin Ave, he would recommend leaving the gate open and commented on the increased amount of traffic since the gate has been closed.

Larry Marino, 14 Dustin Ave, commented on how no one on these three roads likes the traffic in this area. He is in favor of keeping the gate open but thinks that maybe something can be done with the Police to control speed in this area.

II. Announcements and Community Calendar

Mr. Pierce read a note from the Beautification Committee thanking all the volunteers working with them this season. He also thanked the Hampton Garden Club for the great work they have done around Town. He mentioned the PC project he is working on and the need he still has for more mice. He reminded people to get out and vote tomorrow.

Chairman Griffin also wanted to thank Mrs. Wallingford for the great work she has done especially in front of the Town Hall. He also thanked the people involved with the Seafood Festival.

III. Appointments

1. Ed Tinker

- a. 2012 MS-1 – Mr. Tinker explained the details of the MS-1 form for the Board.

Discussion

The following members of the Board asked questions or made comments which Mr. Tinker addressed.

Mr. Nichols pointed out the Precinct value and the Town value.

Mr. Pierce MOTIONED to APPROVE the 2012 MS-1. Mr. Nichols SECONDED.

VOTE: 4-0-0

2. Ernie Thibeault & Vincent Iacozzi

- a. Fellows Avenue and Hampton Marina Gate

Mr. Thibeault & his counsel were both present to discuss the closing of the gate to the Marina on Fellows Ave. Mr. Thibeault's two main issues were in regards to whether the gate the Town has put up is even legal and the second is commonsense issue. Mr. Thibeault's legal counsel also shared his legal opinions on this entrance to the marina being closed off.

Mr. Welch also shared his insight on the issues around this gate/entrance.

There was an additional discussion on the plans for this condominium project.

Discussion

The following members of the Board asked questions or commented as follows which were addressed by Mr. Thibeault.

Mr. Bean commented on or asked questions on: the Town Manager did not make the decision on his own, traffic patterns, safety issues, not being able to solve this here tonight, working together with the Marina, look at speed bumps being added and opportunity of a warrant article. Mr. Welch stated that a warrant article cannot resolve this issue.

Chairman Griffin agrees this will not be solved tonight.

Mr. Nichols pointed out this was voted on twice by the Board.

Mr. Pierce commented on or asked questions on: private road and if they have hopes of it being made a public road, speed bumps and policing.

3. Irene Collins & Walter Kivlan
 - a. Fellows Avenue and Hampton Marina Gate

Ms. Collins thanked the Board for doing due diligence and feels all their concerns have been addressed tonight. Mr. Kivlan thanked the Board for closing the gate and expressed all the positive things that have come from closing the gate.

Discussion

The following members of the Board asked questions or made comments that were addressed by Ms. Collins and Mr. Kivlan.

Chairman Griffin commented on: how he was on the Zoning Board when all this work was done and he is sure that they will work out this problem.

4. Brian McCain, Cable Committee
 - a. Request for New Van

Mr. McCain explained the current condition of the van they have and information on the van they would like to purchase.

Discussion

The following members of the Board asked questions or made comments that Mr. McCain addressed.

Mr. Bean would deadline the use of current van and go straight to motion to approve purchase of new van.

Mr. Nichols made the following comments or asked questions about: additional money for outfitting new vehicle, possible use of a cargo van, too bad we cannot find a used vehicle and current balance of \$123,000 in cable fund.

Mr. Pierce asked about or made comments as follows: possible use by other departments such as IT, looked at old UPS or FEDEX and no problem with the need of this vehicle.

Mr. Bean MOTIONED to APPROVE the purchase of the Cable Committee Van not to exceed \$32, 000 and the current van that has no seatbelts be dead lined and no one drive that vehicle. Mr. Nichols SECONDED.

Discussion on motion

Mr. Pierce asked about need for bids and it was brought to his attention that there are three quotes.

VOTE: 4-0-0

IV. Budget Reviews

Mr. Nichols made comments on the following about the overall budget: increase less than 2%, debt service, CBA's approved and tax impact spending increase since 2011.

Mr. Welch would suggest doing the Parks and Recreation budget first.

1. Parks and Recreation

Mrs. Martin discussed the details of her budget for the Board.

Discussion

The following members of the Board made comments or asked questions which Mrs. Martin addressed.

Mr. Pierce asked questions or made comments as follows: high phone expenses, lifeguards amount going down, salary of lifeguards and replacement of holiday decorations.

Mr. Nichols asked questions or made comments as follows: increase in park maintenance, holiday decorations and removing money from lifeguards.

Parking Lots – Mrs. Martin went through the budget and explained that the only increase is in wages for part time employees.

Discussion

The following members of the Board asked questions or made comments that Mrs. Martin addressed.

“Mr. Nichols asked if the raise is built into the budget Mrs. Martin presented, and it was confirmed it was. Mr. Pierce asked if the raise is 3% across the board and yes it is.”

2. Fire Department

Chief Silver and Deputy Chief Ayotte went through the Fire Department proposed 2013 budget. The main increase in the budget is in relation to CBA's.

Discussion

The following members of the Board asked questions or made comments which the Chief and Deputy Chief addressed.

Mr. Nichols asked questions or commented as follows: the CBA increases referenced by the Chief are in relation to the two year contract, grant approved by the Board at last meeting in this budget, percentage of budget increase, part time hours for secretary, oversight in overtime cost for Fire Alarm Operators related to new 24 hour shifts and considers this budget frugal.

Mr. Pierce asked questions or commented as follows: confirmed the increase in the part time fire prevention secretary is to 30 hours with no benefits, holiday pay % a little higher than

other accounts, technical hazards community responsibilities, software to keep track of data and overtime rates for Fire Alarm Operators.

Mr. Bean asked questions or commented as follows: code enforcement resources up to what they should be and return to work program/light duty possibly help under code enforcement.

Chairman Griffin asked for the Chief to provide an overview of the work that his department did for the Seafood Festival which the Chief did for the Board. Mr. Pierce asked about the EMS calls. Deputy Chief Ayotte made comments on his experience with the Seafood Festival and the wonderful job done by the Department.

Chief Silver provided a quick update on where they are at with the Fire Stations. Mr. Pierce asked about the Precinct garage.

Mr. Nichols mentioned that the Board will have a meeting on Thursday at 7 pm to review the General Government section of the budget.

V. Approval of Minutes

1. August 13, 2012 Non-Public

Mr. Nichols MOTIONED to APPROVE the minutes of August 13, 2012 Non-Public. Mr. Pierce SECONDED.

VOTE: 4-0-0

2. August 27, 2012

Page 4: Town Manager's Report Item 3, after the word Boulevard add the following "on the East side."

Mr. Pierce MOTIONED to APPROVE the minutes of August 27, 2012 as amended. Mr. Nichols SECONDED.

VOTE: 4-0-0

3. August 28, 2012 Non-Public

Mr. Pierce MOTIONED to APPROVE the minutes of August 28, 2012 Non-Public. Mr. Nichols SECONDED.

VOTE: 4-0-0

4. September 04, 2012 Non-Public

Mr. Nichols MOTIONED to APPROVE the minutes of September 04, 2012 Non-Public. Mr. Pierce SECONDED.

VOTE: 4-0-0

VI. Town Manager's Report

1. The Fire Department will conduct its annual observance of the 9-11 events at the Winnacunnet Road Fire Station on Tuesday, September 11th at 9:30 AM
2. The public is invited to attend the American Legion's rededication of the 9-11 Memorial will be at 6PM on Tuesday, September 11th at the American Legion Hall, 69 High Street. Governor Lynch is expected to be in attendance.

3. Household Hazardous Waste Collection – 09/22/12 8AM to Noon at the Brentwood Highway Garage on Route 111A. Driver's License is required for proof of residency.
4. The Chief of Police has made his return of the Dog Warrant; 110 dogs of the 340 dogs are still unlicensed as of 08/31. Collection procedures are in process including the filing of actions in District Court. It is strongly suggest that all unlicensed dogs be licensed to save higher penalties as well as a Court action.
5. The Hampton Intermodal Study Group met on September 5th, and the next meeting is tentatively scheduled for October 25th.

Other Items added to the Town Manager Report

Mr. Welch commented on the following items: agreement with DRED relationship on the beach received back signed from the State, message from the Coalition, SB238 study committee to study the current form of government of SB2 Towns, which Hampton has, will meet on Sept. 13th at 10 am, and DPW has looked at the lot on the corner of High Street and Kings Hwy for the parking of scooters, and there is space for 10.

Discussion

The following members of the Board asked questions or made comments which Mr. Welch addressed.

Mr. Nichols made comments or asked questions about: an update on the mounted patrol and asked for historical information on the mounted patrol be given to the board next week.

Mr. Pierce asked questions about where the horses are currently being housed.

Chairman Griffin asked for Atty. Gearreald to give the Board a legal opinion on the conditions of the private road and Marina, and how it relates to the closing of the gate.

VII. Old Business

1. Personnel Policy –Adopted January 1, 2012
 - a. Correction to Appendix 2
 - b. Amendment to Chapter 3

Assistant Atty. Robertson provided the Board with information on the two items listed above.

Discussion

The following members of the Board asked questions or made comments which Atty. Robertson addressed. Mr. Schwotzer also provided answers where needed.

Mr. Pierce asked questions or commented as follows: employee being taxed under all options, how will the Town know that the employee is using for education expenses and will not see how the money is being spent.

Mr. Nichols commented on the work that Atty. Robertson has put into this policy.

Mr. Nichols MOTIONED to APPROVE the Correction to Appendix 2 and the Amendment to Chapter 3 of the Personnel Policy – Adopted January 1, 2012. Mr. Bean SECONDED.

VOTE: 4-0-0

Other Old Business

Mr. Nichols brought up the appointment of a representative to the CBG Advisory Committee which he provided an update on for the Board.

Mr. Bean MOTIONED to appoint Mr. Pierce as the Selectmen representative to the CBG Advisory Committee. Mr. Nichols SECONDED.

VOTE: 4-0-0

Mr. Pierce brought up the donation of flat screen monitors from the IT department for his pc in schools program and there was a consensus amongst the Board that this donation can be made.

Mr. Nichols commented on the following: issues with parking on corner of High Street and Ocean Blvd, Comcast contract update and protocol in place for finding dead seals on the beach.

Mr. Pierce also made comments about Comcast.

Mr. Welch addressed concerns raised by Mr. Nichols. There was an additional discussion on lack of other providers for television.

There was a detailed discussion amongst the Board in regards to dead seals on the beach.

VIII. New Business

1. Designation of Authorities for Clean Water SRF Loan
 - a. Frederick Welch, Town Manager
 - b. Michael Schwotzer, Finance Director

Mr. Welch explained the need for designation of two individuals to sign for these funds.

Discussion

Mr. Nichols confirmed that this is for specific funding and any additional SRF loans will come back to the Board for approval.

Mr. Nichols MOTIONED to APPROVE the Designation of Authorities to sign for dewatering at WWTP and Church Street Pump Station SRF Loan. Mr. Pierce SECONDED.

VOTE: 4-0-0

2. Bi-weekly Board of Selectmen Meetings – Postponed to September 17, 2012
3. Lane Library Loan Agreement for Lighting with Unitil for \$36,581.00 – An update was provided for the Board.

Mr. Pierce MOTIONED to APPROVE the Lane Library Loan Agreement for Lighting with Unitil for \$36,581.00. Mr. Nichols SECONDED.

VOTE: 4-0-0

Mr. Pierce asked questions about the gas accounts which an update was given.

IX. Consent Agenda

1. Bench Donation – Bi-Centennial Park – Richard and Ann Hansen
2. Bench Donation – Plaice Cove, Shaw Street – In Memory of Jeff Connors
3. One Day Entertainment License – 24 North Shore Road – 09/22/12

4. Lane Library Alternate Member Appointment – Susan Hughes
5. Entertainment License “The Community Oven” – 845 Lafayette Road

Discussion

Mr. Pierce asked about emails in regards to item 5, 1 and 2. Mr. Welch commented that these bench donations will be the final ones accepted by the Town in the future it will only be replacement benches in the beach area.

Mr. Nichols clarified that the motion to approve would be contingent on item #5 being approved by the Fire Chief.

Mr. Pierce MOTIONED to MOVE the Consent Agenda. Mr. Nichols SECONDED.

VOTE: 4-0-0

X. Selectmen’s Closing Comments

Mr. Bean commented that it’s the end of the season and the Town once again did a wonderful job.

XI. Adjournment

Mr. Bean MOTIONED to adjourn the public meeting. Mr. Nichols SECONDED.

VOTE: 4-0-0

Chairman